

REMARKS

Claims 1 and 4-6 were examined. Claim 1 is amended. Claims 1 and 4-6 remain in the Application.

The Patent Office rejects claims 1 and 4-6 under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,591,678 of Bendik et al. (Bendik) in view of U.S. Patent No. 6,248,646 of Okoji (Okojie). According to the Patent Office, Bendik discloses an apparatus comprising a plurality of circuit substrate in a non-planar orientation with a circuit substrate including a single semiconductor having a smallest dimension reduced with circuit devices formed in the single crystal layer. Okojie is cited for disclosing a plurality of circuit substrates on a substrate and in a non-planar orientation relative to one another and a small dimension of a substrate comprising a thickness less than 100 microns.

Independent claim 1 is not obvious over the cited references, because the cited references do not describe or provide any motivation for an apparatus including a plurality of circuit substrates on a substrate and a non-planar orientation stacked one on the other, each circuit substrate consisting a single crystal semiconductor layer having smallest dimension reduced prior to stacking.

With regard to the reduction of a substrate, the Patent Office relies on Bendik, column 4, lines 10-15. According to Bendik, however, wafer layer 46 is bonded to etch-stop layer 44 and, following bonding, the wafer is thinned. Thus, Bendik does not describe a wafer layer that is thinned prior to stacking. Further, there is no indication in the references or an apparatus including a stack of previously thinned substrates. Applicant believes substrates having a smallest dimension reduced prior to stacking imparts structural distinctiveness to an apparatus, for example, in that each stacked substrate may have a more consistent thickness compared to those formed by a thinning process on a substrate such as Bendik.

For the above stated reasons, independent claim 1 is not obvious over the cited references. Claims 4-6 depend from claim 1 and therefore contain all the limitations of that claim. For at least the reasons stated with respect to claim 1, claims 4-6 are not obvious over the cited references.

Applicant respectfully requests the Patent Office withdraw the rejection to claims 1 and 4-6.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

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